

A. D. 1783.  
A. R. C. 8.

# Cession of W. W. Territory.

E. 5.

Resolved, That the Delegates of this State in Congress, to the United States in Congress assembled, all the Right of this Commonwealth to the Territory North West-ward of the River Ohio.

[Passed December 20, 1783.]

1. Whereas the Congress of the United States did, by their Preamble.

act of the sixth day of September, in the year one thousand seven hundred and eighty, recommend to the several States in the Union, having claims to waste and unappropriated lands in the Western Country, a liberal cession to the United States, of a portion of their respective claims for the common benefit of the Union:

2. And whereas this Commonwealth did, on the second day of January, in the year one thousand seven hundred and eighty-one, yield to the Congress of the United States, for the benefit of the said States, all right, title, and claim, which the said Commonwealth had to the territory North-west of the river Ohio, subject to the conditions annexed to the said act of cession:

3. And whereas the United States in Congress assembled, have, by their Act of the thirteenth of September last, stipulated the terms on which they agree to accept the cession of this State, should the Legislature approve thereof, which terms, although they do not come fully up to the propositions of this Commonwealth, are conceived on the whole, to approach so nearly to them, as to induce this state to accept thereof, in full confidence that Congress will, in justice to this State for the liberal cession she hath made, earnestly press upon the other States claiming large tracts of waste and uncultivated territory,

of suffrage was confined to freeholders (excluding women, infants, and recusants resident in the respective counties and towns; *Ibid* p. 238. In 1756, the right of suffrage was confined to freeholders of an hundred acres of unenclosed land or twenty-five acres of improved land, and all freeholders in towns, but with a right to vote, only in the county where the land or the greater part of it lay; *4 Ibid* 475, 6. The city of Williamsburg and the borough of Norfolk were allowed a representative, by their charters, by which the right of suffrage of the citizens and burghers was regulated, but afterwards somewhat narrowed by law; *Ed. 1769, p. 132, 287*. It seems, that till 1723, free negroes, indians, and mulattoes, might vote at elections; but by the acts of that year, c. 4, § 23, *Ed. 1733, p. 344*, they were disqualified; and that particular section of the act was not repealed, though the rest of it was by royal proclamation in 1724. *Ibid* 1769, p. 15, note (n). *Ed. 1752, p. 103*. By the act of 1769, c. 1, the quantity of unimproved land, necessary to qualify a freeholder to vote, was reduced to fifty acres; but this act was suspended until the royal approbation should be signified, and such approbation was never signified. The ordinance of the convention of 1775, providing for the election of delegates to the convention of 1776, excluded the right of suffrage to free white men, inhabitants of Prince George and West Augusta, in possession of the requisite quantity of land, and claiming freeholds therein, though they should have obtained no patents or legal titles to their lands.—Thus stood the right of suffrage when the constitution was adopted. By the act of 1785, c. 55, § 2, the qualification of the freeholder in respect to the quantity of unimproved land was reduced from 100 to 50 acres; the legislature either regarding the act of 1769, as effectual, notwithstanding the want of the royal assent; or, perhaps, considering that while the principle of freehold qualification was preserved, a change as to the quantity of land was consistent with the constitution.

Main Houston Regional Library & Research Center  
P.O. Box 310  
F.M. RD 1011  
Liberty, TX 77575